



# McCormick, Paulding & Huber LLP

*Intellectual Property Law*

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DATE: 24 January 2003

## FACSIMILE TRANSMISSION

**DELIVER TO:** Mr. Paul Bell / USPTO

**FAX NO.:** 703-305-2919

**SENT BY:** Marina F. Cunningham

**Our File No.:** 6474-02WOUS **Serial No.** 09/743,589

**Number of Pages**  
**Including This Sheet:** 4

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**Message:**

Mr. Bell:

Per our telephone conversation of today, attached please find a copy of the executed Declaration, Power of Attorney and Appointment of Domestic Representative for filing in connection with the above-identified PCT application.

Please charge the \$130.00 surcharge fee or any other necessary fees to our Deposit Account 13-0235.

Please call me if you have any questions.

Regards,

  
Marina F. Cunningham

Reg. 38,419

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The information contained in this facsimile may contain confidential information. It is only for the use of the individual or entity named. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are notified that your dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via U.S. postal service.

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09/743589



UNITED STATES GOVERNMENT COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

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5611

INTERNATIONAL APPLICATION NO.  
PCT/DO/99/00481

I.A. FILING DATE	PRIORITY DATE
07/13/99	07/14/98

DATE MAILED:

02/23/01

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494),  an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.
- Copy of the international application in:
  - a non-English language.
  - English.
- Translation of the international application into English.
- Oath or Declaration of inventor(s) for DO/BO/US.
- Copy of Article 19 amendments.
- Translation of Article 19 amendments into English.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.
- Preliminary amendment(s) filed 11 JAN 2001 and \_\_\_\_\_
- Information Disclosure Statement(s) filed 11 JAN 2001 and \_\_\_\_\_
- Assignment document.
- Power of Attorney and/or Change of Address.
- Substitute specification filed \_\_\_\_\_.
- Statement Claiming Small Entity Status.
- Priority Document.
- Copy of the International Search Report  and copies of the references cited therein.
- Other: 113 308

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
  - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(c)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875

Franchise Young  
National Stage Processing  
Paralegal Specialist  
(703) 305-3662

FORM PCT/DO/EO/905 (December 1997)

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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FRANCINE YOUNG  
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**PART 1 - ATTORNEY/APPLICANT COPY**

FORM PCT/DO/EO/903 (371 Acceptance Notice)